

REPORTS ANALYSIS DIVISION REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: July 21, 2017

ANALYST: Christopher Morse

- I. COMMITTEE: Gary Johnson Victory Fund
(C00618140)
Christina Needham, Treasurer (2/14/17–Present)
Christina Sirois, Treasurer (5/25/16–2/13/17)
107 S West St.
Ste 922
Alexandria, VA 22314
- II. RELEVANT STATUTE: 52 U.S.C. § 30104(b)(2) and (4)
11 CFR § 104.3(a) and (b)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Disclose All Financial Activity)

Gary Johnson Victory Fund ("the Committee") amended its 2016 October Quarterly Report to disclose additional receipts of \$348,520.03 and additional disbursements of \$550,879.98, which were not disclosed in the original report (Attachments 2 and 3).

On October 15, 2016, the Committee filed the original 2016 October Quarterly Report covering the period from July 1, 2016 through September 30, 2016. The report disclosed \$1,425,785.68 in receipts on Line 11(a)(i) (Itemized Contributions From Individuals), \$891,904.50 in receipts on Line 11(a)(ii) (Unitemized Contributions From Individuals), and \$0.00 in receipts on Line 15 (Offsets to Operating Expenditures) of the Detailed Summary Page (Image 201610159032874570). The report also disclosed \$1,360,116.63 in disbursements on Line 21(b) (Other Federal Operating Expenses), \$0.00 in disbursements on Line 22 (Transfers to Affiliated/Other Party Committees), and \$2,576.08 in disbursements on Line 28(a) (Refunds of Contributions to Individuals) of the Detailed Summary Page (Image 201610159032874570-71).

On January 17, 2017, the Committee filed an Amended 2016 October Quarterly Report. The report disclosed \$1,565,173.87 in receipts on Line 11(a)(i), \$1,100,946.66 in receipts on Line 11(a)(ii), and \$89.68 in receipts on Line 15 of the Detailed Summary Page, a total increase in receipts of \$348,520.03 from the original report (Image 201701179041411360, Attachment 2). The report also disclosed \$1,419,609.27 in disbursements on Line 21(b), \$490,658.60 in disbursements on Line 22, and \$3,304.82 in disbursements on Line 28(a) of the Detailed Summary Page, a total increase in disbursements of \$550,879.98 from the original report (Image 201701179041411360-61, Attachment 3).

On February 20, 2017, a Request for Additional Information (RFAI) was sent to the Committee referencing the Amended 2016 October Quarterly Report, received January 17, 2017. The RFAI requested clarification regarding the substantial increase in receipts and disbursements disclosed on the Amended 2016 October Quarterly Report (Image 201702200300080978).

On March 27, 2017, the Committee filed a Miscellaneous Electronic Submission ("FEC Form 99") in response to the RFAI. The Committee stated,

"The Committee responds to the two February 20, 2017 RFAs, with responses due March 27, 2017, as follows: after the 2016 election, the Committee conducted an internal audit to identify discrepancies in its reporting data. A number of incorrectly reported items were discovered, along with certain data sets from processing vendors that had not properly imported into the Committee's filing software. These errors were corrected in the amended reports filed January 17, 2017, and all Committee data is now accurate to the penny" (Image 201703279051892138).

On April 26, 2017, the Reports Analysis Division (RAD) Analyst called and spoke to Christina Needham, the Committee's Treasurer. The RAD Analyst informed her that the Committee's response to the increase in receipts and disbursements disclosed on the Amended 2016 October Quarterly Report, received January 17, 2017 was inadequate and that the matter would be referred for potential further action. The RAD Analyst advised her to promptly file an FEC Form 99 to provide any additional clarifying information she may want to have on the public record (Attachment 4).

To date, no further communication has been received from the Committee regarding this matter.

| O-Index (2017-2018) | | | | | | | | | | | | | | | | |
|---|--------|-----|------------|-----|-------------|---------------------|------------|------------|-------------|------------|----------|----------|----------|--------|-------|----------------|
| Cmte. Name: GARY JOHNSON VICTORY FUND | | | | | | | | | | | | | | | | |
| Cmte. ID: C00618140 | | | | | | | | | | | | | | | | |
| Treasurer Name: NEEDHAM, CHRISTINA Address: 107 S WEST ST STE 922, ALEXANDRIA, VA 22314 | | | | | | | | | | | | | | | | |
| Cmte. Designation: J (JOINT FUNDRAISER) Filing Frequency: QUARTERLY FILER | | | | | | | | | | | | | | | | |
| Form Tp | Rpt Tp | A/I | Receipt Dt | Pgs | Receipt Dtl | Begin Img# | Beg Cvg Dt | End Cvg Dt | Ltr Mail Dt | Begin Cash | Receipts | Disb | End Cash | Debits | Loans | Debits & Loans |
| MS-T | | | 3/27/2017 | 1 | | 201703279051892138 | 1/1/2017 | 2/14/2017 | 2/20/2017 | | | | | | | |
| RQ2 | TER | T | 2/20/2017 | 2 | | 201702200300081042 | 1/1/2017 | 2/14/2017 | | | | | | | | |
| F3XT | TER | T | 2/14/2017 | 9 | | 2017021490439350064 | 1/1/2017 | 2/14/2017 | | \$27,805 | \$95 | \$27,900 | \$0 | | | \$0 |
| F3XN | Q1 | N | 4/3/2017 | 6 | | 201704039051923798 | 2/15/2017 | 3/31/2017 | | \$0 | \$0 | \$0 | \$0 | | | \$0 |
| F3XN | Q2 | N | 7/14/2017 | 6 | | 201707149086633921 | 4/1/2017 | 6/30/2017 | | \$0 | \$0 | \$0 | \$0 | | | \$0 |
| FIA | | A | 2/14/2017 | 25 | | 201702149049350039 | | | | | | | | | | \$0 |
| Totals | | | | | | | | | | | \$95 | \$27,900 | | | | \$27,900 |

| O-Index (2015-2016) | | | | | | | | | | | | | | | | |
|---|--------|-----|------------|-----|-------------|--------------------|------------|------------|-------------|------------|-------------|-------------|-----------|--------|-------|----------------|
| Cmte. Name: GARY JOHNSON VICTORY FUND | | | | | | | | | | | | | | | | |
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| Cmte. Designation: J (JOINT FUNDRAISER) Filing Frequency: QUARTERLY FILER | | | | | | | | | | | | | | | | |
| Form Tp | Rpt Tp | A/I | Receipt Dt | Pgs | Receipt Dtl | Begin Img# | Beg Cvg Dt | End Cvg Dt | Ltr Mail Dt | Begin Cash | Receipts | Disb | End Cash | Debits | Loans | Debits & Loans |
| RQ2 | Q3 | A | 2/20/2017 | 2 | | 201702200300080978 | 7/1/2016 | 9/30/2016 | 2/20/2017 | | | | | | | |
| F3N | Q2 | N | 7/15/2016 | 5 | | 201607159020561309 | 4/1/2016 | 6/30/2016 | | \$0 | \$950 | \$42 | \$907 | | | \$0 |
| F3XN | Q3 | N | 10/15/2016 | 187 | | 201610159032874568 | 7/1/2016 | 9/30/2016 | | \$907 | \$2,317,690 | \$1,362,692 | \$955,904 | | | \$0 |
| F3XA | Q3 | A | 1/17/2017 | 189 | | 201701179041411358 | 7/1/2016 | 9/30/2016 | | \$907 | \$2,666,210 | \$1,913,572 | \$753,544 | | | \$0 |
| F3XN | 12G | N | 10/27/2016 | 121 | | 201610279036959901 | 10/1/2016 | 10/19/2016 | | \$955,904 | \$507,431 | \$1,054,911 | \$408,424 | | | \$0 |
| F3XA | 12G | A | 1/17/2017 | 133 | | 201701179041411547 | 10/1/2016 | 10/19/2016 | | \$753,544 | \$453,398 | \$1,055,152 | \$151,790 | | | \$0 |
| F3XN | 30G | N | 12/8/2016 | 71 | | 201612089040558513 | 10/20/2016 | 11/28/2016 | | \$408,424 | \$207,592 | \$310,435 | \$305,582 | | | \$0 |
| F3XA | 30G | A | 1/17/2017 | 71 | | 201701179041411680 | 10/20/2016 | 11/28/2016 | | \$151,790 | \$224,541 | \$307,492 | \$68,838 | | | \$0 |
| F3XN | YE | N | 1/24/2017 | 10 | | 201701249041450792 | 11/29/2016 | 12/31/2016 | | \$68,838 | \$64 | \$41,117 | \$27,805 | | | \$0 |
| FIA | | A | 5/25/2016 | 16 | | 201605259017295950 | | | | | | | | | | |
| FIA | | N | 5/24/2016 | 4 | | 201605249017294167 | | | | | | | | | | |
| FIA | | A | 5/24/2016 | 14 | | 201605249017294493 | | | | | | | | | | |
| FIA | | A | 8/30/2016 | 26 | | 201608309023759882 | | | | | | | | | | |
| FIA | | A | 7/6/2016 | 17 | | 201607069020361456 | | | | | | | | | | |
| FIA | | A | 8/2/2016 | 24 | | 201608029022168681 | | | | | | | | | | |
| FIA | | A | 8/12/2016 | 25 | | 201608129022237936 | | | | | | | | | | |
| Totals | | | | | | | | | | | \$3,345,184 | \$3,317,378 | | | | |

| O-Index (2013-2014) | | | | | | | | | | | | | | | | |
|---|--------|-----|------------|-----|-------------|------------|------------|------------|-------------|------------|----------|------|----------|--------|-------|----------------|
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| No records were found for this cycle. | | | | | | | | | | | | | | | | |

Gary Johnson Victory Fund (C00618140)

2016 October Quarterly Report/Amended 2016 October Quarterly Report, received January 17, 2017

Overview of Additional Receipts:

| Report Line | 2016 October Quarterly Report (Image 201610159032874570) | Amended 2016 October Quarterly Report, received 1/17/17 (Image 201701179041411360) | Variance Amount |
|---|--|--|-----------------|
| Line 11(a)(i): Itemized Contributions From Individuals | \$1,425,785.68 | \$1,565,173.87 | \$139,388.19 |
| Line 11(a)(ii): Unitemized Contributions From Individuals | \$891,904.50 | \$1,100,946.66 | \$209,042.16 |
| Line 15: Offsets to Operating Expenditures | \$0.00 | \$89.68 | \$89.68 |
| | | Total: | \$348,520.03 |

Gary Johnson Victory Fund (C00618140)

2016 October Quarterly Report /Amended 2016 October Quarterly Report, received January 17, 2017

Overview of Additional Disbursements:

| Report Line | 2016 October Monthly Report (Image 201610159032874571) | Amended 2016 October Quarterly Report, received 1/17/17 (Image 201701179041411361) | Variance Amount |
|---|--|--|---------------------|
| Line 21(b): Other Federal Operating Expenses | \$1,360,116.63 | \$1,419,609.27 | \$59,492.64 |
| Line 22: Transfers to Affiliated/Other Party Committees | \$0.00 | \$490,658.60 | \$490,658.60 |
| Line 28(a): Refunds of Contributions to Individuals | \$2,576.08 | \$3,304.82 | \$728.74 |
| | | Total: | \$550,879.98 |

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